

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NICOLE BROCKMOLE, LAUREN BAIR  
and NICK ERCKLENTZ, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

EZ FESTIVALS LLC, AVANT GARDNER  
LLC, MADE EVENT LLC, CITYFOX,  
REYNARD PRODUCTIONS, JURGEN  
BILDSTEIN, PHILIPP WIEDERKEHR,  
AGDP HOLDING INC., GARDNER  
PURCHASER LLC, WIEDERKEHR  
ASSOCIATES, STEWART PURCHASER  
LLC, WRE PARENT US HOLDING CORP.  
INC., WRE MANAGEMENT LLC, WRE  
HOLDING AG and JOHN DOES NO. 1-10,

Defendants.

Civil Action No.: 1:23-cv-08106-MMG

NOTICE OF THE WRE DEFENDANTS  
MOTION TO DISMISS CERTAIN  
DEFENDANTS AND COUNTS OF THE  
BROCKMOLE COMPLAINT

**(Oral Argument Requested)**

**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law and the Declaration of Richard W. Boone Jr., Defendants WRE PARENT US HOLDING CORP. INC., WRE MANAGEMENT LLC, WRE HOLDING AG, WIEDERKEHR ASSOCIATES, GARDNER PURCHASER LLC, STEWART PURCHASER LLC and PHILIPP WIEDERKEHR (collectively “Moving Defendants”), by and through its attorneys, Wilson, Elser, Moskowitz, Edelman & Dicker LLP, will move this Court located at 40 Foley Square, New York, NY 10007, for an Order, dismissing the Moving Defendants as well as Counts I, II, III, and VII of the Brockmole Plaintiffs’ Supplemental and Amended Class Action Complaint (Dkt. No. 23) in their entirety and with prejudice, pursuant to Rule 12(b)(6) of the Federal Rules

of Civil Procedure. For the reasons discussed in WRE Defendant's Memorandum of Law, Plaintiffs have failed to state any claim upon which relief can be granted.

**PLEASE TAKE FURTHER NOTICE** that the Moving Defendants respectfully request oral argument with respect to this motion.

Dated: August 7, 2024  
New York, New York

/s/ Richard W. Boone Jr.  
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WIEDERKEHR*

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record. By registering with the Court's CM/ECF system, each has consented to electronic service via this method.

DATED: This 7<sup>th</sup> day of August 2024

/s/ Richard W. Boone Jr.  
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